

SUMMARY OF THE REGULATORY COORDINATION COMMITTEE MEETING NOVEMBER 20, 2002

The Regulatory Coordination Committee of the National Environmental Laboratory Accreditation Conference (NELAC) met on Wednesday, November 20, 2002, at 1:30 p.m. Mountain Standard Time (MST) as part of the Eighth NELAC Interim Meeting in Santa Fe, NM. Chairperson Mr. Kevin Coats of the US Army Corps of Engineers led the meeting. A list of action items is given in Attachment A. A list of participants is given in Attachment B. *The purpose of the meeting was to present to attendees the National Environmental Laboratory Accreditation Program (NELAP) Accrediting Authority survey and model legislative language, and to review the annual regulatory survey.*

INTRODUCTION

Following a welcome by the meeting facilitator, the members of the committee introduced themselves. Mr. Coats then reviewed the meeting agenda and the committee's charge. It is the responsibility of the NELAC Regulatory Coordination Committee to provide standing committees with current information regarding regulations and laws that impact laboratory accreditation and to develop model language for state legislation and regulations that reference NELAC.

ROLE OF REGULATORY COORDINATION COMMITTEE IN CHANGING NELAC STRUCTURE

Mr. Coats then reviewed potential changes to the committee mandate as a consequence of the transition issues at NELAC. He explained that the committee's charge to develop model legislation will probably remain a NELAC function and may become a responsibility of the Standards Review Committee. The committee's charge to provide input to standing committees has not been well-defined in the new structure. The analysis of pending regulations could be privatized or transferred to the Institute for National Environmental Laboratory Accreditation (INELA).

Recently the committee has proposed additional committee functions to the NELAC Board of Directors (BoD). These functions include:

- Commenting on behalf of NELAC on pending federal regulations and legislation that impact the laboratory industry.
- Providing input for accrediting authorities to understand more stringent requirements in methods or in other states with whom they have a primary/secondary accrediting authority relationship (function could be performed by INELA).

The committee has also been invited by INELA to provide potential mission functions under which it might continue under the auspices of INELA. Mr. Bennett Osborne noted that the committee's name might be changed to "Coordination Committee" to perform some of the proposed functions. He then led a discussion of the potential mission functions under consideration by the committee, which include the following:

- Acting as the liaison between INELA and other voluntary consensus standards development organizations (VCSDOs).
- Providing overall coordination between different INELA committees and their standards.
- Handling issues that span numerous committees.
- Tracking the activities of other standards development organizations.
- Tracking position papers and opposition to (or support for) proposed or new regulations.

Following his introduction of potential mission functions, Mr. Osborne opened the issue to discussion from the floor. Attendees expressed support for the suggested activities, though some concern was expressed about handling inter-committee issues. A suggestion was offered that the committee play a role in strategic planning at INELA. It was suggested that this strategic planning role include identifying issues of great importance to the environmental community that should be addressed by INELA, providing input into the promotion and implementation of standards developed by INELA, and disseminating information on behalf of INELA. In conclusion, Mr. Osborne asked members of INELA to pass along their support of the Regulatory Coordination Committee to Mr. Parr.

NELAP ACCREDITING AUTHORITY SURVEY AND MODEL LEGISLATIVE LANGUAGE

Mr. Coats initiated discussion of the accrediting authority survey which was distributed via email by INELA on Wednesday, November 13. He explained that INELA had distributed the survey because NELAC committees are prohibited from directly issuing surveys by the Paperwork Reduction Act. The survey was provided to current NELAP Accrediting Authorities and to states not currently participating as NELAP Accrediting Authorities. The purposes of the survey were to serve the committee in developing model legislation by providing feedback on the model legislation developed by the committee and posted on the NELAC website last year, and to provide background information for the NELAC Membership and Outreach Committee to promote an increase in participation among non-NELAP states.

The survey was distributed with a requested return date of December 15, 2002, for tabulation. The distribution list was established by blending the rosters of numerous NELAC meetings provided by Mr. Jerry Parr of INELA with information provided by Ms. Ilona Taunton from similar surveys she has conducted for her employer. Consequently, surveys were sent to multiple points of contact for several states. Several responses have already been received by INELA. It is anticipated that the results will be compiled into a spreadsheet, which will be provided to the Regulatory Coordination Committee and the Membership and Outreach Committee.

Mr. Coats invited interested parties to contact him via email to participate in the survey. He then opened the issue to discussion from the floor. Only one comment was offered. It suggested that questions about secondary accreditation are moot because secondary accreditation is clearly addressed in Section 1.5.2.3.2 of the NELAC Standards.

SEMIANNUAL EPA REGULATORY AGENDA

Mr. Coates noted that a periodic service of this committee is to provide to standing NELAC committees an annual summary of proposed EPA environmental regulations that have potential to impact laboratory analysis, accreditation, and regulation. The summary is prepared from EPA's semiannual regulatory agenda. Mr. Coates noted that the process by which the Regulatory Coordination Committee prepares this summary has changed since he became the committee chair. INELA has made available to the committee a filtered version of EPA's semiannual regulatory agenda. The Regulatory Coordination Committee categorizes the agenda items further as applicable or inapplicable and endorses applicable items to the appropriate NELAC committees. The current summary will be distributed to NELAC committees in the upcoming weeks along with questions as to their preference for how the information is gathered and filtered. At this time, the Regulatory Coordination Committee is highlighting new test methods, new regulated analytes, new action levels or regulated levels, new data management rules, newly established method detection limits (MDLs), etc.

Attendees expressed interest in having wider distribution for this document, including accrediting authorities, and suggested expanding it to include new regulations from other federal agencies (especially new information quality guidelines from the Office of Manpower and Budget), and relevant new regulations for state governments. There was moderate discussion of avenues through which the committee may compile proposed changes to state regulations.

CONCLUSION

There being no further business to discuss, Mr. Coates thanked attendees for their input and adjourned the meeting shortly before 2:30 p.m. MST.

**ACTION ITEMS
REGULATORY COORDINATION COMMITTEE MEETING
NOVEMBER 20, 2002**

Item No.	Action	Date to be Completed
1.	Committee will continue to consider potential mission functions for the continuation of the committee under INELA.	NELAC 9
2.	Committee will review results of accrediting authority survey and provide results to Membership and Outreach Committee.	January 15, 2003
3.	Committee will explore mechanisms for more broad-based compilation and distribution of regulatory agenda summary.	NELAC 9

**PARTICIPANTS
REGULATORY COORDINATION COMMITTEE MEETING
NOVEMBER 20, 2002**

Name	Affiliation	Address
Kevin Coats, Chair	US Army Corps of Engineers - HTRW CX	T: (402)697-2563 F: (402)697-2595 E: kevin.h.coats@usace.army.mil
David Bottrell (Absent)	US Dept. of Energy	T: (301)903-7251 F: (301)903-7613 E: david.bottrell@em.doe.gov
Eddie Clemons	Xenco Laboratories	T: (281)589-0692 F: (281)589-0695 E: eddiec@xenco.com
Bennett Osborne	Oregon Environmental Lab. Assoc.	T: (509)574-2354 F: (509)574-2301 E: bennett.osborne@co.yakima.wa.us
Susan Smith (Absent)	CHPPM-Eur Dept. of Laboratory Sciences	T: (637)186-7771 F: (637)186-7054 E: susan.smith@cpe.amedd.army.mil
Kim Watson (Absent)	Stone Environmental, Inc.	T: (802)229-2196 F: (802)229-5417 E: kwatson@stone-env.com
Mike Beard (Contractor Support)	RTI	T: (919)541-6489 F: (919)541-7386 E: mebeard@rti.org
Lisa Greene (Contractor Support)	RTI	T: (919)541-7483 F: (919)541-7386 E: lcg@rti.org
Owen Crankshaw (Contractor Support)	RTI	T: (919)541-7470 F: (919)541-7386 E: osc@rti.org